UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

| APPLICATION NO.   | FILING DATE          | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|----------------------|-------------------------|---------------------|------------------|
| 10/786,186  | 02/25/2004           | Hugh S. West JR.        | 14000.8.1.1         | 2078             |
| 22913 7590 02/12/2007<br>WORKMAN NYDEGGER   |                      |                         | EXAMINER            |                  |
| (F/K/A WORKMAN NYDEGGER & SEELEY) 60 EAST SOUTH TEMPLE 1000 EAGLE GATE TOWER SALT LAKE CITY, UT 84111 |                      |                         | REIMERS, ANNETTE R  |                  |
|   |                      |                         | ART UNIT            | PAPER NUMBER     |
|   |                      |                         | 3733                |                  |
|   |                      |                         |                     |                  |
| SHORTENED STATUTOR  | Y PERIOD OF RESPONSE | MAIL DATE DELIVERY MODE |                     |                  |
| 3 MONTHS  |                      | 02/12/2007              | PAPER               |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.





## UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

APPLICATION NO./ FILING DATE FIRST NAMED INVENTOR / ATTORNEY DOCKET NO. PATENT IN REEXAMINATION

10/786,186

EXAMINER

ART UNIT PAPER

20070205

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner for Patents** 

The response to the restriction requirement filed on November 17, 2006 is considered non-compliant. Applicant's response is confusing. Applicant is required to elect in total with or without traverse, so that applicant's position is clear on the record. Furthermore, a complete reply to an election of species should include a proper election along with a listing of all claims readable thereon. It is noted that applicant has not addressed whether claims 25-28 read on the elected species. Applicant is requested to properly identify claims readable on the elected species so that the claims are thoroughly examined.

Since the above-identified reply appears to be bona fide, applicant is given a time period of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid ABANDONMENT. NO EXTENSIONS OF TIME under 37 CFR 1.136 (a) will be permitted.

EDUARDOM, FOBERT SUPERVISORY PATENT EXAMINER AL